

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :  
:  
v. : 1:22CR 304-1  
:  
JOSHUA THEODORE THORNTON :



The Grand Jury charges:

COUNT ONE

1. At all times material to this Indictment, AT&T Store, located at 5431 Page Road, Durham, North Carolina, was engaged in the retail store business, an industry which affects interstate and foreign commerce.

2. On or about June 20, 2022, in the County of Durham, in the Middle District of North Carolina, JOSHUA THEODORE THORNTON did unlawfully obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that JOSHUA THEODORE THORNTON did knowingly and unlawfully take and obtain property, consisting of iPhones, belonging to AT&T Store, located at 5431 Page Road, Durham, North Carolina, from the possession of employees of the said business against their will by

means of actual and threatened force, violence, and fear of injury, to their persons; in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

On or about June 20, 2022, in the County of Durham, in the Middle District of North Carolina, JOSHUA THEODORE THORNTON, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interference with commerce by robbery, as more fully referenced in Count One of this Indictment, did knowingly carry and use, by brandishing, a firearm, that is, a Canik 9mm handgun; in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

COUNT THREE

1. At all times material to this Indictment, T-Mobile Store, located at 6409 Fayetteville Road, Durham, North Carolina, was engaged in the retail store business, an industry which affects interstate and foreign commerce.

2. On or about June 23, 2022, in the County of Durham, in the Middle District of North Carolina, JOSHUA THEODORE THORNTON did unlawfully obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as that term is defined in Title 18, United States

Code, Section 1951(b)(1), in that JOSHUA THEODORE THORNTON did knowingly and unlawfully take and obtain property, consisting of iPhones, belonging to T-Mobile Store, located at 6409 Fayetteville Road, Durham, North Carolina, from the possession of employees of the said business against their will by means of actual and threatened force, violence, and fear of injury, to their persons; in violation of Title 18, United States Code, Section 1951(a).

#### COUNT FOUR

On or about June 23, 2022, in the County of Durham, in the Middle District of North Carolina, JOSHUA THEODORE THORNTON, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interference with commerce by robbery, as more fully referenced in Count Three of this Indictment, did knowingly carry and use, by brandishing, a firearm, that is, a Canik 9mm handgun; in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

#### FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of one or more of the offenses alleged in this Indictment, the defendant, JOSHUA THEODORE THORNTON, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), all right, title and interest in and to any firearm or ammunition involved in or used in the commission of the offense.

3. The property subject to forfeiture pursuant to paragraph 2 above may include, but shall not be limited to, the following:

a. Canik 9mm handgun, serial number T6472-15.

All in accordance with Title 18, United States Code, Section 924(d), Rule 32.2, Federal Rules of Criminal Procedure, and Title 28, United States Code, Section 2461(c).

DATED: September 26, 2022

SANDRA J. HAIRSTON  
United States Attorney

BY: KYLE D. POUSSON  
Assistant United States Attorney

A TRUE BILL.

FOREPERSON